



DOCKET NO: 239806US2SRD

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
FUMIHIKO IKEGAMI, ET AL. : EXAMINER: D. PHUONG
SERIAL NO: 10/612,034 :
FILED: JULY 3, 2003 : GROUP ART UNIT: 2685
FOR: RADIO TERMINAL, : NOTICE OF ALLOWANCE:
COMMUNICATION CONTROL METHOD SEPTEMBER 23, 2005
AND COMPUTER PROGRAM

PETITION UNDER 37 C.F.R. § 1.181(A)(3)
TO INVOKE THE SUPERVISORY AUTHORITY OF THE COMMISSIONER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant herein petitions the Commissioner to invoke his supervisory authority to require the examiner to consider the prior art cited in the Information Disclosure Statement filed September 16, 2005.

An Information Disclosure Statement in conformity with the requirements of 37 C.F.R. § 1.97 and § 1.98 was filed with the application on September 16, 2005. A copy of the Information Disclosure Statement, the List of References Cited by Applicants (i.e., PTO-Form 1449), the cited prior art reference, and a date-stamped filing receipt are attached. The above-referenced application has now been allowed. The prior art reference cited in the "Foreign Patent Documents" section of the Information Disclosure Statement were never acknowledged or made of record by the examiner.

Application No. 10/612,034
Reply to Notice of Allowance of September 23, 2005

Thus, this Petition is being filed in order to require the Examiner to consider the references listed on the Information Disclosure Statement.

Although Applicants do not believe that any fee is required for the present petition, any required fee should be charged the undersigned attorneys account no. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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